

REMARKS

Upon entry of this preliminary amendment, claims 15, 23-26 and 29-39 will be pending in this application. Support for the amendment to claim 15 and new claims 29-39 can be found in the specification, for example, in Examples 1-3 and on page 15, lines 15-20, and in Table 1 on page 9. Claims 16-22, 27 and 28 are sought to be cancelled without prejudice thereto or disclaimer thereof of the subject matter contained therein. Support for inclusion of the generic term "polyethylene glycol octylphenyl ether" in the above amended paragraphs can be found in Exhibit A, which identifies the chemical nature of "Triton X-100™" ether. Support for inclusion of the generic term "FPLC Ni²⁺-chelating columns" in the above amended paragraph can be found in Exhibit B, which identifies the nature of "HiTrap™" columns. Applicants respectfully assert that these amendments or new claims do not include new matter, and their entry is respectfully requested.

Election/Restrictions

Notwithstanding Applicants' previously made election based upon the issued restriction requirement, Applicants have presented composition claims 32-39 which track the method claims 15, 23-26 and 29-31. Applicants believe that the search for the method claims will most likely encompass any searching necessary for the composition claims and request that the Examiner consider the composition claims at the same time as considering the method claims.

Sequence Listing

The Examiner has objected to the sequence listing in that it does not contain the sequences identified in Tables 1 and 2 on pages 9 and 23 of the specification. Office Action, page 3. By way of the above amendments to the specification, Applicants have amended Table 1 to include SEQ ID NO. identifiers for each sequence. Furthermore, by way of a concurrent filing, Applicants have amended the sequence listing to include the sequences identified in Table 1 and on page 29.

Applicants respectfully point out that Table 2 does indeed already provide SEQ ID NO. identifiers and note that these sequences have already been included within the sequence listing. Applicants believe that correction to Table 2 or further amendment of the sequence listing for inclusion of the sequences of Table 2 is not needed.

Applicants believe that they have fully addressed the Examiner's objection to the sequence listing and request that the objection be reconsidered and withdrawn.

Specification Objections

The specification has been objected to for inclusion of a hyperlink and/or other form of browser-executable code on page 8. Office Action, page 3. The specification has also been objected to for the manner in which trademarks are used, and for inclusion of a non-descriptive title. Applicants respectfully request that these objections be reconsidered and withdrawn in light of Applicants' above amendments.

Claim Objections

The claims have been objected to for being directed to non-elected subject matter, and for non-italicized genus names. Office Action, page 4. Applicants respectfully request that these objections be reconsidered and withdrawn in light of Applicants' above amendments.

Claim Rejections Under 35 U.S.C. § 112, 1st Para.— Written Description

Claims 15-26 stand rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement. Office Action, page 4. Solely to expedite prosecution and not in acquiescence to the rejection, Applicants have amended the claims. Accordingly, Applicants request that the Examiner reconsider and withdraw these claim rejections, which are believed to be moot.

Claim Rejections Under 35 U.S.C. § 112, 1st Para.— Enablement

Claims 15-26 stand rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the enablement requirement. Office Action, page 7. Solely to expedite prosecution and not in acquiescence to the rejection, Applicants have amended the claims. Accordingly, Applicants request that the Examiner reconsider and withdraw these claim rejections, which are believed to be moot.

Claim Rejections Under 35 U.S.C. § 112, 2nd Para.— Distinctness

Claims 15-26 stand rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the distinctness requirement. Office Action, page 11. Solely to expedite prosecution and not in acquiescence to the rejection, Applicants have amended the claims. Accordingly, Applicants request that the Examiner reconsider and withdraw these claim rejections, which are believed to be moot.

Claim Rejections Under 35 U.S.C. § 102(b)

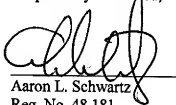
Claims 15-19 and 23-25 stand rejected under 35 U.S.C. § 102(b) for allegedly being anticipated. Office Action, page 13. Solely to expedite prosecution and not in acquiescence to the rejection, Applicants have amended the claims. Accordingly, Applicants request that the Examiner reconsider and withdraw these claim rejections, which are believed to be moot.

Conclusion

Applicants do not believe that any other fee is due in connection with this filing. If, however, Applicants do owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. **02-2334**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **02-2334**.

Applicants submit that this application is in condition for allowance, and request that it be allowed. The Examiner is requested to call the Undersigned if any issues arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Schwartz', is written over a horizontal line.

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